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**FAX TRANSMITTAL COVER PAGE****Fax To:** U.S. Patent Office  
**Examiner:** Ted Kim  
**Art Unit:** TC 3740 (Randolph Bldg.)  
**Fax Number:** 703-872-9306**Date:** July 6, 2005  
**Examiner Phone:** (571) 272-4829**Subject:** Attached Examiner's Office Communication, mailed June 22, 2005  
**Reference:** Application: 10/743-505**Total Number of Pages (including cover page) :** 3

Dear Mr. Kim,

I regret the delay in responding to your subject Office Communication. Your communication arrived in Dallas during the Post Office's transition time period in which it takes to forward mail to my above new residential address. I received your letter on July 1, 2005. At this time, my wife and I were still unloading U-Haul boxes and trying to get our household goods put away... plus getting my office established again. After being married 41 years, it is amazing how many household items that a family accumulates.

Since the March 18, 2003 publication of your examined 6,532,745 Partially-open Gas Turbine Cycle, I have received the April 12, 2005 published 6,878,186 Pure Vacuum Swing Adsorption System and Apparatus patent. This patent reduces the electric power consumption per ton of oxygen by approximately 75% over previous best efficiency air separation systems, thereby providing the means of making the 6,532,745 turbine cycle's oxy-fuel combustion operating system exceptionally economical in operation.

I am respectfully requesting that you defer any further examination of the present 10/743-505 submitted application until I am able to respond with a correctly formatted and re-submitted Claims for the 10/743-505 application. I trust that with your present application review work load, that this will not create any convenience to your work schedule. Your favorable acceptance of my request will be most appreciated.

Regards,

David L. Neary



UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
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Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/743-505

EXAMINER

ART UNIT

PAPER

20041015

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

**Response to Amendment 1.** The amendment to the claims filed on 10/4/04 does not comply with the requirements of 37 CFR 1.121(c) because applicant is filing under the expired rules. It is no longer permissible to file a clean copy and a marked up copy. Amendments to the claims filed on or after July 30, 2003 must comply with 37 CFR 1.121(c) which states: (c) Claims. Amendments to a claim must be made by rewriting the entire claim with all changes (e.g., additions and deletions) as indicated in this subsection, except when the claim is being canceled. Each amendment document that includes a change to an existing claim, cancellation of an existing claim or addition of a new claim, must include a complete listing of all claims ever presented, including the text of all pending and withdrawn claims, in the application. The claim listing, including the text of the claims, in the amendment document will serve to replace all prior versions of the claims, in the application. In the claim listing, the status of every claim must be indicated after its claim number by using one of the following identifiers in a parenthetical expression: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New), and (Not entered).

(1) Claim listing. All of the claims presented in a claim listing shall be presented in ascending numerical order. Consecutive claims having the same status of "canceled" or "not entered" may be aggregated into one statement (e.g., Claims 1-5 (canceled)). The claim listing shall commence on a separate sheet of the amendment document and the sheet(s) that contain the text of any part of the claims shall not contain any other part of the amendment.

(2) When claim text with markings is required. All claims being currently amended in an amendment paper shall be presented in the claim listing, indicate a status of "currently amended," and be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. Only claims having the status of "currently amended," or "withdrawn" if also being amended, shall include markings. If a withdrawn claim is currently amended, its status in the claim listing may be identified as "withdrawn—currently amended."

(3) When claim text in clean version is required. The text of all pending claims not being currently amended shall be presented in the claim listing in clean version, i.e., without any markings in the presentation of text. The presentation of a clean version of any claim having the status of "original," "withdrawn" or "previously presented" will constitute an assertion that it has not been changed relative to the immediate prior version, except to omit markings that may have been present in the immediate prior version of the claims of the status of "withdrawn" or "previously presented." Any claim added by amendment must be indicated with the status of "new" and presented in clean version, i.e., without any underlining.

(4) When claim text shall not be presented; canceling a claim.

(i) No claim text shall be presented for any claim in the claim listing with the status of "canceled" or "not entered."

(ii) Cancellation of a claim shall be effected by an instruction to cancel a particular claim number. Identifying the status of a claim in the claim listing as "canceled" will constitute an instruction to cancel the claim.

(5) Reinstatement of previously canceled claim. A claim which was previously canceled may be reinstated only by adding the claim as a

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"new" claim with a new claim number.



Ted Kim  
Primary Examiner

~~676513082831~~

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PTO-80C (Rev. 04-03)